

## David Evans QC

Call: 1988 QC: 2012



David Evans QC specialises in clinical negligence litigation, almost exclusively in cases involving brain and spinal injury. He acts for both claimants and defendants. David has developed a specific expertise in quantum, in particular the analysis and quantification of catastrophic high value brain and spinal injury claims, including birth injury, wrongful birth, acquired brain injury, meningitis and spinal cord injury.

He has a sub-specialty in government work following his 8 years on the Attorney-General's 'A' panel of Counsel to the Crown and since taking silk, he continues to act for government departments in public inquiries and serious injury claims. He is security-cleared to developed vetted (DV) level.

*"David excels in his understanding of the legal issues and is hugely personable and empathetic, which really benefits his clients."*

**Legal 500 2022**

*"David is excellent, extremely good on quantum and very detailed." "Experienced, skilled, reliable and able to engage opponents in sensitive cases where negotiations are required."*

**Chambers & Partners 2022**

*"A superb barrister whose advocacy skills are second to none."*

**Legal 500 2021**

## Clinical Negligence

David Evans QC specialises in clinical negligence litigation, almost exclusively in cases involving perinatal brain injury and spinal injury. He has developed a particular expertise and interest in the quantification of high

value cerebral palsy and paraplegic claims.

He has a sub-specialty in government work, having been on the Attorney-General's 'A' panel of Junior Counsel to the Crown for 8 years until taking Silk and he continues to act for government departments and agencies in serious injury and related claims. He is security cleared to developed vetted (DV) level.

David is an ADR Group Panel Mediator and has conducted mediations as Mediator and as a party.

He is recognised as a leading Silk in clinical negligence by the legal directories:

*"David is extremely personable and has exceptional legal knowledge and extensive experience." "He's incredibly meticulous and has an encyclopedic knowledge of case law relating to clinical negligence." "Exceptionally client-focused and has a superb eye for detail. He will fight for his client and turn over every stone possible."*

(Chambers and Partners 2021)

*'A superb barrister whose advocacy skills are second to none.'* (Legal 500 2021)

*"David is an excellent barrister who is very good on quantum issues. He is also a fierce negotiator." "He's very thorough and is detailed and meticulous in his work."* (Chambers and Partners 2020)

*"He is very pragmatic and has brilliant attention to detail." "Exceptional with clients and a great strategist in complex claims."* (Chambers and Partners 2019)

*"He is very pragmatic and has brilliant attention to detail." "Exceptional with clients and a great strategist in complex claims."* (Chambers and Partners 2018)

*"He is very meticulous in his consideration of cases and secures a good outcome for the client."* (Chambers and Partners 2017)

*"David Evans QC is an extremely effective barrister. His warm personality ensures that clients trust him whilst his strength of character and superb advocacy skills make him a tough opponent."* (Chambers and Partners 2016)

*"He's a class act. He's lovely to deal with, very laid back and totally in command of his brief"* (Chambers and Partners 2015)

*"He is a superb barrister – he deals with matters quickly and thoroughly, and is a favourite of clients thanks to his genuine empathy for their needs."* (Chambers and Partners 2014)

*"He is a talented practitioner with a broad clinical negligence practice, whose "thorough and approachable manner wins people over. "Solicitors value him as he is "straightforward and gets to the point quickly."* (Chambers and Partners 2012)

## Selected Cases

- **P v NHS Trust (2020):** Complex cerebral palsy case. For the Trust.
- **J v NHS Trust (2020):** High value cerebral palsy claim. For the Claimant.
- **Eagling v. Calderdale & Huddersfield NHS Trust (2020):** Complex perinatal brain damage case. For the

Trust.

- **LXA v Calderdale and Huddersfield NHS Foundation Trust (2018):** Cerebral palsy. For the Claimant.
- **JRM v King's College Hospital NHS Foundation Trust [2017] EWHC 1913 (QB):** Cerebral palsy. For the Trust. Gilbert J.
- **DS v Northern Lincolnshire and Goole NHS Foundation Trust [2016] EWHC 1246 (QB):** Cheema-Grubb J Cerebral Palsy. For the Trust.
- **Jones v Portsmouth Hospitals NHS Trust [2014] EWHC 42 (QB):** Supperstone J. For the Trust.
- **AB v. EF. Perinatal brain damage (2015):** for the Claimant.
- **Jones v. Portsmouth Hospitals NHS Trust [2014] EWHC 42 (QB):** for the Trust.
- **Ministry of Defence v. AB and others (Nuclear Test Veterans Litigation) Supreme Court [2012] UKSC:** for MOD.

## Public Inquiries

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David Evans QC has very considerable experience in Public Inquiries and has worked on some of the highest profile Inquiries in recent years.

### Selected Cases

- **Litvinenko Inquiry 2015:** for MOD and Atomic Weapons Establishment.
- **Al-Sweady Inquiry 2013:** for MOD.
- **Baha Mousa Inquiry 2009-2011:** for MOD.
- **Strangeways Inquiry:** Counsel to the Inquiry.
- **Ladbroke Grove Rail Inquiry:** for the Train Operating Companies.

## Public Law

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David Evans QC has considerable experience in civil litigation cases representing government and institutions.

### Selected Cases

- **Commissioner of Police of the Metropolis v A Local Authority and X, Y (Intervener) and Z (by his Children's Guardian) [2016] EWHC 2400. MacDonald J:** Acted for the Metropolitan Police regarding disclosure of confidential court documents concerning terrorism and the Syrian conflict to the Security Service.
- **DS v Northern Lincolnshire and Goole NHSFT [2016] EWHC 1246 (QB), Cheema-Grubb J.:** Perinatal brain damage, acting on behalf of the Defendant.
- **Commissioner of Police of the Metropolis v ZR. (2017) PII:** (limits of disclosure regarding police informants.
- **Jones v Portsmouth Hospitals NHS Trust [2014] EWHC 42 (QB).**
- **SNATCH Landrover claims 2014-16:** Test cases on combat immunity in Iraq war

- **Challenger 2 claims.** ‘Blue on blue’ tank engagement in Iraq.
- **Vector and Pinzgauer claims:** Test cases on combat immunity in Iraq war.
- **MOD v AB and others [2012] UKSC 9L:** Nuclear Test Veterans’ failed action against MOD re 1950s UK nuclear bomb tests
- **Iraqi civilian claims (2012-13):** Group action for personal injury and false imprisonment arising from the Iraq war.
- **Kenya Training Area Claims Group Action:**(personal injury – unexploded UK Armed Forces ordnance in Kenya.
- **NIS Express bombing claims:**Appeal to NATO KFOR claims UN appeal commission in Pristina.
- **Bici v Ministry of Defence [2004] EWHC 786:** Scope of “combat immunity.”

## Inquests

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David Evans QC has very wide experience in high profile inquests in the Coroner’s Court including medical, military, air, rail and marine accidents and cases involving highly technical engineering failures.

## Selected Cases

- **The Alexander Perepilichny Inquest.**
- **The Alexander Litvinenko Inquest.**
- **The Nimrod crash in Afghanistan.**
- **G-XCEL helicopter crash Inquest (Twin Squirrel) Andover.**
- **Re Fusilier Gentle:** Snatch Land Rover IED in Iraq war.
- **Re Sergeant Roberts:** Missing body armour in Iraq war.
- **The ‘Marchioness’ disaster on the Thames.**

## Appointments

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- Accredited Mediator and Arbitrator (MCI Arb)
- Attorney General’s Panel of Counsel to the Crown (Common Law) ‘A’ panel (2004 – 2012)

## Publications

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- Atkin Court Forms ‘Civil Procedure’
- Consulting Editor, “Butterworths Civil Court Practice”
- Butterworths Civil Court Precedents